

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 717\***

**House Bill No. 1047**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(x)

(1) Notwithstanding any provisions of this section to the contrary, there shall be no release eligibility for a person committing an offense, on or after July 1, 2021, that is enumerated in subdivision (x)(2). The person shall serve one hundred percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person shall be permitted to earn any credits for which the person is eligible and the credits may be used for the purpose of increased privileges, reduced security classification, or for any purpose other than the reduction of the sentence imposed by the court.

(2) The offenses to which subdivision (x)(1) applies are:

(A) Female genital mutilation, as defined in § 39-13-110;

(B) Domestic assault, as defined in § 39-13-111, when the offense is a felony offense;

(C) Trafficking for a commercial sex act, as defined in § 39-13-309;

(D) Advertising commercial sexual abuse of a minor, as defined in § 39-13-315;



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- (E) Rape, as defined in § 39-13-503;
- (F) Aggravated sexual battery, as defined in § 39-13-504;
- (G) Sexual battery, as defined in § 39-13-505;
- (H) Aggravated statutory rape, as defined in § 39-13-506(c);
- (I) Indecent exposure, as defined in § 39-13-511, when the offense is a felony offense;
- (J) Patronizing prostitution, as defined in § 39-13-514(b)(3);
- (K) Promoting prostitution, as defined in § 39-13-515;
- (L) Public indecency, as defined in § 39-13-517(d)(3);
- (M) Continuous sexual abuse of a child, as defined in § 39-13-518;
- (N) Sexual battery by an authority figure, as defined in § 39-13-527;
- (O) Solicitation of a minor, as defined in § 39-13-528, when the offense is a felony offense;
- (P) Soliciting sexual exploitation of a minor, as defined in § 39-13-529;
- (Q) Statutory rape by an authority figure, as defined in § 39-13-532;
- (R) Promoting travel for prostitution, as defined in § 39-13-533;
- (S) Unlawful photographing in violation of privacy, as defined in § 39-13-605, when the victim is under thirteen (13) years of age;
- (T) Observation without consent, as defined in § 39-13-607(d)(2);
- (U) Incest, as defined in § 39-15-302;
- (V) Child abuse or child neglect or endangerment, as defined in § 39-15-401;

(W) Aggravated child abuse or aggravated child endangerment or neglect, as defined in § 39-15-402;

(X) Using a minor to produce, import, prepare, distribute, process, or appear in obscene material, as defined in § 39-17-902(b);

(Y) Unlawful sale, distribution, or transportation with intent to sell or distribute of a child-like sex doll, as defined in § 39-17-910(f);

(Z) Sexual exploitation of a minor, as defined in § 39-17-1003;

(AA) Aggravated sexual exploitation of a minor, as defined in § 39-17-1004;

(BB) Especially aggravated sexual exploitation of a minor, as defined in § 39-17-1005;

(CC) Conspiracy, under § 39-12-103, to commit any of the offenses listed in this subdivisions (x)(2);

(DD) Criminal attempt, under § 39-12-101, to commit any of the offenses listed in this subdivision (x)(2); or

(EE) Solicitation, under § 39-12-102, to commit any of the offenses listed in this subdivision (x)(2).

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it, and applies to offenses committed on or after that date.

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**AMEND Senate Bill No. 1119**

**House Bill No. 49\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-519(d), is amended by deleting the language "sixty (60) days" wherever it appears and substituting instead the language "thirty (30) days".

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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**AMEND Senate Bill No. 451\***

**House Bill No. 881**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-303, is amended by deleting the section and substituting instead the following:

(a) A person commits an offense who:

(1) Knowingly participates in a riot; and

(2)

(A) Traveled from outside the state with intent to commit a criminal offense;

(B) Participates in a riot in exchange for compensation; or

(C) As a result of the riot, a person other than one (1) of the participants suffers bodily injury or substantial property damage occurs.

(b)

(1) A violation of this section is a Class E felony.

(2) In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of:

(A) Forty-five (45) days of incarceration; or

(B) Sixty (60) days of incarceration if the defendant engages in the conduct described in two (2) or more of the circumstances listed in subdivisions (a)(2)(A) – (C).



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(3) In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

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**AMEND Senate Bill No. 765**

**House Bill No. 786\***

by deleting the amendatory language of Section 1 and substituting instead the following:

(g) It is an exception to the application of subsection (a) that a person is carrying, whether openly or concealed, a handgun and:

(1)

(A) The person is at least twenty-one (21) years of age; or

(B) The person is at least eighteen (18) years of age and:

(i) Is an honorably discharged or retired veteran of the United States armed forces;

(ii) Is an honorably discharged member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program; or

(iii) Is a member of the United States armed forces on active duty status or is a current member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program;

(2) The person lawfully possesses the handgun; and

(3) The person is in a place where the person is lawfully present.



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**AMEND Senate Bill No. 765**

**House Bill No. 786\***

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following new subsection:

( )

(1) A person commits an offense who carries, with the intent to go armed, a firearm and:

(A) Has been convicted of stalking as prohibited by § 39-17-315;

(B) Has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within the prior ten (10) years or one (1) time within the prior five (5) years;

(C) Has been adjudicated as a mental defective, judicially committed to or hospitalized in a mental institution pursuant to title 33, or had a court appoint a conservator for the person by reason of a mental defect; or

(D) Is otherwise prohibited from possessing a firearm by 18 U.S.C. 922(g) as it existed on January 1, 2021.

(2) An offense under subdivision ( ) (1) is a Class B misdemeanor.



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**AMEND Senate Bill No. 206**

**House Bill No. 216\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(ii) and substituting instead the following:

(ii) Probation may continue only so long as it is in the best interest of the child that the condition or conditions of probation remain in effect;

SECTION 2. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(2)(A)(v)(c)(2) and substituting instead the following:

(2) A child placed in the custody of the department under this subdivision (a)(2)(A)(v)(c) shall remain in custody so long as necessary to complete the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 3. Tennessee Code Annotated, Section 37-1-131(a)(3), is amended by deleting the subdivision and substituting instead the following:

(A) Placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority. The court may order the delinquent child to participate in programming at a nonresidential facility for delinquent children operated under the direction of the court or other local public authority after the period of detention. The court shall report each disposition of detention to the administrative office of the courts;

(B) Pursuant to this subdivision (a)(3), the court may order detention for a maximum of forty-eight (48) hours for the delinquent child to be served only on days the



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school in which the child is enrolled is not in session; provided, that if the court finds and issues a written order that it is in the best interest of the child, the court may order:

(i) Multiple periods of detention to be served only on days the school in which the child is enrolled is not in session; and

(ii) A longer period of detention to be served only on days the school in which the child is enrolled is not in session;

SECTION 4. Tennessee Code Annotated, Section 37-1-131, is amended by deleting subdivision (a)(4)(B)(iii)(b) and substituting instead the following:

(b) A child placed in the custody of the department under this subdivision (a)(4)(B)(iii) shall remain in custody so long as necessary to complete the treatment or services, which must be evidence-based and provided by a qualified provider;

SECTION 5. Tennessee Code Annotated, Section 37-1-131(b)(1), is amended by deleting the last sentence.

SECTION 6. Tennessee Code Annotated, Section 37-1-137, is amended by deleting subdivision (b)(1) and substituting:

(1) Subject to subsection (c), a delinquent child committed to the custody of the department for an indefinite time shall remain in the custody of the department so long as necessary to complete an evidence-based program in a custodial setting addressing a treatment need identified by the previously administered validated risk and needs assessment.

SECTION 7. Tennessee Code Annotated, Section 37-1-137, is amended by deleting subdivision (f)(3)(B) and substituting:

(B) A child placed in the custody of the department under this subdivision (f)(3) shall remain in the custody of the department so long as necessary to complete the treatment or services, which must be evidence-based and provided by a qualified provider.

SECTION 8. This act takes effect July 1, 2021, the public welfare requiring it.